

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

OCT 06 2016

JULIA C. DUDLEY, CLERK
BY: *H. McDermott*
DEPUTY CLERK

DANIEL N. HALTER,
Plaintiff,

v.

NORTHWESTERN REGIONAL
ADULT DETENTION CENTER, et al.,
Defendants.

Civil Action No. 7:16-cv-00062

ORDER

By: Hon. Jackson L. Kiser
Senior United States District Judge

Daniel N. Halter, a Virginia prisoner proceeding pro se, had filed a civil rights action pursuant to 42 U.S.C. § 1983 and now has filed a motion to voluntarily dismiss the action after the Defendants filed a motion for summary judgment. Plaintiff needs leave of court to voluntarily dismiss an action if an opposing party serves an answer or motion for summary judgment. Fed. R. Civ. P. 41(a)(2). Upon consideration of the motion and the status of the case, it is hereby

ORDERED

that Plaintiff's motion for voluntary dismissal is **GRANTED**; the action is **DISMISSED without prejudice**; all pending motions are **DENIED as moot**; and the case is **STRICKEN** from the active docket.

The Clerk shall send a certified copy of this order to the parties.

ENTER: This 6th day of October, 2016.

Jackson L. Kiser
Senior United States District Judge